Robbins, Joanne

From: Jay Lifson [jay@lafayettechamber.org]

Sent: Saturday, April 04, 2009 12:00 PM

To: Robbins, Joanne; Falk, Steven; Srivatsa, Niroop; Cass, Michael; philippe@chevalierrestaurant.com; 'Tony Eichers'; Blodgett, Larry

Attachments: Stimulus letter to CC 3-09.doc

April 2, 2009

Lafayette City Council
3675 Mt. Diablo Blvd. Suite 210
Lafayette, CA 94549

Dear Council,

Please allow this note to serve as a cover letter for a proposal that the Chamber of Commerce is working on. Attached is a letter that encourages the City Council to consider adding an additional item to the already approved 2009 Stimulus Package. **This letter is not signed and has not been discussed by our Board of Directors.** We will be reviewing it at our April 13th meeting. The reason for sending a copy to you in advance is because of a unique situation where time is of the essence. After reviewing the request, you may want to take action on it without waiting for the Chamber's possible support.

Please let me explain. Last year Philipp Chevalier opened his restaurant on Moraga Rd. Chevalier is a wonderful addition to our city and has received great reviews. But Philipp opened at a very difficult economic time. His business, which currently can only be open for dinner, has dropped by over 40%. Last fall Philipp asked for our help to find a way to acquire enough parking to open for lunch. He knew that until the economy improved, he would need incremental income to survive. We met with the city's Planning Department and began the search for additional parking. Many of his neighbors were contacted, Regional Parking from Walnut Creek was brought in and many options were explored. But to date, no viable options have developed.

During the process, Philipp has monitored the parking lot at his address, which always has open spaces during the lunch hour. Each day, an average of a dozen patrons walk up only to find that Chevalier is not open for lunch. Simply put, without opening for lunch, Philipp will probably not survive beyond a couple more months. Again we met with Planning and presented two ideas. The first is to see if the City Council would be willing to entertain an addition to the 2009 Stimulus Package by helping small businesses (under 1,500sq. feet) to not be responsible for meeting the current parking standards. Allow these businesses to operate under-parked through the remainder of 2009. Secondly Chevalier would submit a letter to the city to ask permission to lease the 11 needed parking spaces from the city, once the current library closes and the city assumes ownership of that property. In both cases, the Mr. Chevalier understands these are merely temporary solutions to their parking requirements. The library lot could be leased on a month to month basis.

It is possible that if the council agrees to this conditional addition to the Stimulus Package, there could be other small businesses that might be able to survive during these tough economic times. We have not identified who they are. Sometimes we find ourselves trying to help one business at a time.

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The attached letter also thanks the City Council and Staff for working so quickly this year to agree to the 2009 Stimulus Package. We appreciate the assistance you are offering to the business community.

Please review the attached letter. I thank you in advance for your consideration.

Sincerely,

Jay Lifson
CEO
Lafayette Chamber of Commerce
jay@lafayettechamber.org
(925) 284-7404

March 20, 2009

Lafayette City Council
3675. Mt. Diablo Blvd., Suite 210
Lafayette, CA 94549

Dear Mayor Tatzin, Vice Mayor Andersson, & City Council Members:

The Lafayette Chamber of Commerce would like to personally thank the City Council, the Lafayette Redevelopment Agency Board, and City staff for recognizing that Lafayette has been negatively impacted by the economic downturn currently plaguing California; and that this economic downturn has created a ripple effect across the community causing a slowdown in the development of property. The Chamber Board specifically appreciates the City's proactive efforts to encourage business growth and development of property within the City during this economic downturn by adopting the 2009 Lafayette Stimulus Package.

Primary benefits to local businesses include the following:

> **Nonconforming and Abandoned Uses**. The one hundred twenty (120) day period for which a nonconforming or abandoned use may discontinue active operation prior to being terminated, as set forth in Sections 6-551(e) and 6-604(a)(4) of the Lafayette Municipal Code, will be waived for the year 2009 if: the developer submits a request to the City by December 31, 2009; and submits proof that the non-conforming or abandoned use discontinued active operation during the year 2009 (between January 1, 2009 and December 31, 2009). The nonconforming and/or abandoned use may discontinue active operation until December 31, 2009 after which the City will resume enforcement of the Municipal Code. The facilities accommodating or serving such nonconforming or abandoned activity must be maintained in a physically safe condition during this period.

As, we are all aware, parking is a commodity within the City, as parking spaces are limited. The Chamber continues to work with a number of existing and potential local business owners to address existing parking shortages and the

impacts imposed upon their business and the surrounding businesses. Additionally, the Chamber met with Regional Parking to discuss potential parking enforcement options and amenities for private property, such as parking meters, valet parking, and ticketing/patrolling services. The Chamber is also encouraged by the discussion with the Draft Downtown Strategy & Specific Plan about a potential parking garage.

Despite these efforts, a number of local businesses continue to suffer and many businesses, such as Chevalier face permanent closure. **The Chamber Board requests that the City Council consider amending the 2009 Lafayette Stimulus Package to include language to not enforce non-conforming parking situations during the year 2009 (between January 1, 2009 and December 31, 2009) for existing small businesses (where the City adopted conditions of approval limiting hours of operation). For purposes of this requirement, a small business is defined as a sole-proprietorship, organization, company, or other similar business, where the total gross floor area is less than 1,500 sq. ft. and they occupy no more than one location (and are thus not considered chain stores)**. Prior to the waiver becoming effective, the City may require the property owner and the small business owner to enter into an agreement, acknowledging their acceptance that the parking enforcement waiver is temporary and will terminate on January 1, 2010. Perhaps we could view this temporary change as chance to assess the impact on our current parking regulations. This could prove to be significant data as we are determining our parking needs and how they relate to the proposed Downtown Strategic Plan. This could give us an opportunity to study parking levels with a very narrow focus on small businesses.

By approving the Chamber's request, a number of local small businesses will most likely survive this economic downturn, which will in turn benefits our local economy.

Thank you in advance for your consideration of our request and your continued commitment to our great City.

Sincerely,

Tony Eichers
Chair of the Board
Lafayette Chamber of Commerce